

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

TROY L. BAUMGARDNER,

Plaintiff,

v.

MAGGIE MILLER-STOUT,
BERNARD WARNER, EARL X.
WRIGHT, KEVIN BOVENKAMP,
KAREN JASPER, JAY CLEMENT,
DONNA BYRNES and
WASHINGTON DEPARTMENT OF
CORRECTIONS,

Defendants.

NO: 2:15-CV-00045-TOR

ORDER ADOPTING REPORT AND
RECOMMENDATION, DISMISSING
COMPLAINT WITHOUT PREJUDICE
AND DIRECTING THAT
COLLECTION OF FILING FEE
CEASE

Magistrate Judge Rodgers filed a Report and Recommendation (ECF No. 16), recommending that Mr. Baumgardner's Motion to Voluntarily Dismiss be granted. Defendants have not been served. There being no objections, the Court **ADOPTS** the Report and Recommendation. Plaintiff's Motion (ECF No. 14) is **GRANTED** and this action is **DISMISSED WITHOUT PREJUDICE**.

1 **IT IS FURTHER ORDERED** Plaintiff's Motion to waive filing fee (ECF
2 No. 15) is **GRANTED** and the institution having custody of Mr. Baumgardner
3 shall cease collection of the filing fee in this action, formerly cause number **2:15-**
4 **CV-00045-JTR**, now 2:15-CV-00045-TOR.

5 **IT IS SO ORDERED.** The District Court Executive is directed to enter this
6 Order, enter judgment of dismissal without prejudice, forward a copy to Plaintiff
7 and close the file. The District Court Executive is further directed to send a copy
8 of this Order to the **Office of the Department of Corrections, Attn: LFO/COS**
9 **UNIT, P.O. Box 41107, Olympia, WA 98504-1107**, to forward to the appropriate
10 agency having custody of Plaintiff. The District Court Executive also shall provide
11 a copy of this Order to the Financial Administrator for the United States District
12 Court, Eastern District of Washington.

13 **DATED** May 27, 2015.



15 *Thomas O. Rice*

16 THOMAS O. RICE
17 United States District Judge
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